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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/795,825	03/08/2004	Morteza Cyrus Afghahi	13435US04	2778
23446 7590 03/22/2011 MCANDREWS HELD & MALLOY, LTD 500 WEST MADISON STREET SUITE 3400 CHICAGO, IL 60661			EXAMINER WELLS, KENNETH B	
			ART UNIT 2816	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10795825	3/8/2004	AFGHAHI ET AL.	13435US04

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EXAMINER

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Commissioner for Patents

Appellant's reply brief filed on 2/10/11 has been received and entered in the case. Appellant makes the further argument therein that in Kerth's Fig. 4A, the reference voltage "is compared not to the input signal signal received at the input node...but instead to the VINM signal". This argument is not persuasive because, as clearly shown in Fig. 4A of Kerth, when switch phiB is closed, input signal VINP gets connected to the inverting input terminal of amplifier 48 (via the bottom capacitor C1) and thereby gets compared to the reference voltage (i.e., the voltage across the top capacitor C1). Moreover, Kerth's Fig. 4A shows that the combination of VINP and VINM is a differential input signal and as such this differential input signal can be considered as the "input signal" of claim 9. In other words, whether it is VINP or VINM that gets applied to the inverting input terminal of amplifier 48, such would still read on the claimed "input signal". Therefore, because appellant's further argument in the reply brief is also not found to be persuasive, the rejection based on the circuit shown in Fig. 4A of Kerth is still deemed to be proper and it is therefore maintained. The case has now been forwarded back to the Board of Appeals for its decision on the appeal.

Any inquiry concerning this or earlier communications from the examiner should be directed to Kenneth B. Wells at (571)272-1757.

/Kenneth B. Wells/
Primary Examiner
Art Unit: 2816